

# Enhancing Court Services to Victims of Domestic Violence



## Spotlight on the Cook County Domestic Violence Division

The Circuit Court of Cook County is one of the largest unified court systems in the nation. In Chicago, the Domestic Violence Division (DVD) operates in a state-of-the-art courthouse built in 2005 to hear all misdemeanor domestic violence criminal cases and all independent civil orders of protection (OP). This courthouse, dedicated to domestic violence, sexual violence, and stalking cases, houses ten courtrooms, a children's room, and specialized court staff. Specialized DV victim-witness personnel employed by the State's Attorney's Office assist prosecutors with petitions for civil OPs heard in conjunction with criminal cases. On the civil side, the nonprofit Domestic Violence Legal Clinic (DVLC), housed in the courthouse, employs attorneys to help victims with civil orders of protection. Two DV advocacy programs also are housed on-site.

In 2013, the court and its stakeholders/partners, through the Family Court Enhancement Project,<sup>1</sup> reviewed how often victims seeking OPs ask for relief related to their children. This review revealed that many victims were either unaware of what remedies were available or did not request relief out of a misunderstanding of the court system or fear that it would be used against them. The court responded in a number of creative ways that increased access for victims and children.

### *Bilingual Triage Help Desk Staff*

To address the need for frontline assistance, the DVD added a bilingual Spanish worker to existing Help Desk staff. This worker, an employee of the presiding judge's office, screens victims who may

be in need of protection with a focused inquiry on safety issues related to children shared with the abuser. If it appears that victims are in need of protection, the bilingual staff worker links them to appropriate resources at the court or in the community. Those who have children in common are triaged for priority linkage to available attorneys. By employing bilingual staff outside of the courtroom, but within the courthouse, the DVD is better able to link victims to appropriate and timely services, provide informational brochures to victims, and increase overall safety for families experiencing violence.

### *Supervised Visitation and Safe Exchange Centers*

In addition to the bilingual help desk worker, the DVD expanded its services around supervised visitation and safe exchange. In particular, the DVD worked with the highly respected center, Apna Ghar, to establish a Supervised Visitation Court Liaison (SVCL). The SVCL educates victims about the option of requesting supervised visitation and/or safe exchange services as part of a petition for an OP and informs victims about Chicago's supervised visitation centers. The victim also is offered referrals and linkage to other essential supportive services. If a judge is going to order supervised visits or restricted exchange of the children, the judge can offer litigants the opportunity to speak to the SVCL, who links parents to the Center that best addresses their geographic, linguistic, and/or cultural needs.

### *Community Impact*

By employing a bilingual help desk worker to triage

<sup>1</sup>The Family Court Enhancement Project (FCEP) is an Office on Violence Against Women-funded demonstration initiative taking place at four sites across the country. The FCEP Goal is to improve the family court response to custody cases and parenting decisions involving domestic violence so that resulting parenting arrangements protect the emotional and physical well-being of victimized parents and their children.

cases before court proceedings begin, the DVD can focus its attention on issues around protection and children when victims first file for protection. This helps raise victim awareness about the availability of child-related legal relief while simultaneously sending a clear message to victims that this is an area that can be addressed in an OP. Help desk staff provide victims with “Litigant Educational Materials” (brochures), which also serve to create an environment in which victims feel that the DVD is a friendly forum for child-related protections.

The DVD’s work with Apna Ghar and other supervised visitation and safe exchange centers has enabled judges in Cook County to enter orders that specify designated safe visitation/exchange centers for particular families. By providing parents with information about the various centers early in the process, the SVCL helps educate parents about the types of services the centers have to offer prior to the court’s deliberation about visitation. This, in turn, leads to increased use of visitation and safe exchange centers. When parties are better informed, they are more likely to follow through on the use of the centers once ordered.

### Lessons Learned

- One of the biggest challenges faced by the DVD was that it found itself trying to implement innovation in a system that was very resistant to change. The DVD faced assumptions, by advocates, court staff, judges, and others, that abusers should never have access to shared children, while others believed that—in the absence of child abuse—domestic violence was immaterial to a protective order. These assumptions directly conflicted with the results of victim focus groups and other feedback, which illustrated that attention to child-related relief can be both helpful to and desired by victims, that child-related relief may be a critical safety measure, and that well-planned visitation and exchange actually can increase safety for families.

### Practice Tips

- Court personnel should re-examine their expectations and biases in light of the everyday experiences of the individuals seeking their assistance who have children in common. Litigants’ requests related to their children should guide the court and personnel as they address safety issues within an OP. By doing this with an eye toward procedural justice, courts can increase safety for victims and children.
- Communities should not underestimate how long it takes for change to occur. Engaging stakeholders and achieving consistent implementation of all aspects of a novel program while sharing a common vision can take time. As the DVD’s efforts show, however, it is worth the time and effort.

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### ABOUT THE RESOURCE CENTER

The National Council of Juvenile and Family Court Judges houses The National Resource Center on Domestic Violence: Child Protection and Custody. The Resource Center is devoted to helping domestic violence survivors and professionals such as judges, attorneys, social workers, and domestic violence advocates who work with survivors in the child protection and custody systems. In addition to providing training and technical assistance, the Resource Center also conducts research and evaluation projects focused on the intersection of domestic violence and child protection or child custody. Contact us by telephone at (800) 527-3223 or by email at [fvdinfo@ncjfcj.org](mailto:fvdinfo@ncjfcj.org).